



THULAMELA MUNICIPALITY

INDIGENT POLICY

2017/18 FINANCIAL YEAR

1. LIST OF STAKEHOLDERS

The following stakeholders were available and made contribution in the drafting/review of the Municipal Indigent Policy mainly through IDP processes:-

The Mayor

Speaker

Chief whip

Ward Councillors

Proportional Councillors

Municipal Manager

Section 57 Senior Managers

Officials from Sector Departments

Traditional Leaders

Civic Associations

Community Development Workers

Ward Committee

Taxi Association

Bus Forum

Business Forum

Moral regeneration forum

Youth Council

Women's forum

South African Municipal Union representatives

Institution of higher learning and officials from Vhembe District Municipality.

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3. ABBREVIATION

IDP - Integrated Development Planning

LED - Local Economic Development

SDBIP - Services Delivery and budget implementation Plan

2. DEFINITION OF TERMS

For the purpose of this policy, unless the context indicates otherwise, any word or expression to which a meaning has been attached in the Act shall bear the same meaning and means:-

Basic Services	- Means minimum basic services rendered to the communities.
Council	- Means the Municipal Council of Thulamela Municipality.
Councillor	- Means a member of Thulamela Municipal council
Communities/Citizens	- Means communities residing within the area of jurisdiction of Thulamela municipality and consume services as provided by the Council
Consumer	- Means a person who owns property within the area of jurisdiction of the Municipal Council
Childheaded households	- Means household where both parent are deceased and where all occupants of the property are children of the deceased and under the legal age to contract for services.
Households	- Means traditional family unit consisting of a maximum of 08 (eight) persons (being a combination of four persons over the age of eighteen and four persons eighteen years or younger);
Indigent households	- Means household customer qualifying and registered with the Municipal Council as an indigent in accordance with the Indigent Policy of the Municipal Council
Indigent tariff	- Means the tariff as determined by Council and applicable to indigent households
Indigent Register	- Means the register that has a list of qualifying indigents of specific financial year
Indigent Subsidy	- Means an allocation from the equitable share grant as determined by the Council

3. INTRODUCTION

Thulamela Municipality Indigent policy is a tool designed to ensure that destitute households and child headed family that are classified as indigent have the access to basic services as defined in the Constitution of the Republic of South Africa, Act 108 of 1996.

The Municipal Council must give priority to the basic needs of the community, promote the social and economic development of the community and ensure that all residents and communities in the municipality have access to at least the minimum level of basic municipal services in terms of Section 152 (1) (b) and 153 (b) of the constitution.

In terms of Section 74 of the Local Government Systems Act, of the year 2000, The Municipal Council (hereinafter referred to as the Council) must adopt and implement a tariff policy. In terms of Section 74(i) of the Act in adopting a tariff policy, the Council should at least take into consideration the extent of subsidisation of tariffs for poor households. Arising from the above, the council needs to approve an indigent support policy to provide procedures and guidelines for the subsidisation of basic services and tariffs charged to its indigent household.

All indications are that, the equitable share will be used to subsidize the Indigent.

The indigent is the category of people, those earning less than the set threshold, unemployed, disabled, child headed family and pensioners who are unable to make any monetary contribution towards their monthly account.

In line with the objective of creating a vibrant and growing Municipality, the indigent policy is also aligned to the principles of Batho-Pele. Service delivery is one of Government's eight priorities as set out in the White Paper on the Transformation of the Public Service. To this effect, government has launched an initiative in South Africa under the banner of Batho-Pele – meaning 'People First' in Sesotho – aimed at improving the delivery of public services. Batho-Pele further aims to ensure that attitudes, systems and procedures are capable of delivering enhanced public services. Batho-Pele is also about ensuring that the resources available are used to the best possible extent, eliminating wasteful and expensive procedures and reducing unnecessary expenditure on inefficient processes and systems.

4. PREAMBLE

WHEREAS Section 74 of the Local Government: Municipal Systems Act 2000 (Act No. 32 of 2000), requires that the Council should, in formulating a Tariff Policy for the municipality, at least take into consideration the extent of subsidisation of tariffs for poor households.

WHEREAS Council needs to have an approved Indigent Policy.

WHEREAS such policy must provide procedure and guidelines for the subsidisation of basic services and tariff charges to its indigent household.

WHEREAS the Council has committed itself to render a basic level of services necessary to ensure an acceptable and reasonable quality of life.

NOW THEREFORE the Council of the Thulamela Municipality has adopted the Indigent set out hereunder:-

5. POLICY ISSUES

(a). Section 214 (1) of the Constitution of the Republic of South Africa Act 108 of 1996, stipulates inter alia the following:

An act of parliament must provide for-

- The equitable division of revenue raised nationally among the national, provincial and local spheres of government.*

(b). Section 74 (2) (c) of the municipal System Act, Act 32 of 2000 stipulates inter alia the following:-

Poor households must have access to at least basic services through-

- i. Tariffs that cover only operation and maintenance costs,*
- ii. Special tariffs or life line tariffs for low level of use or consumption of services or for basic levels of service; or*
- iii. Any other direct or indirect method of subsidization of tariffs for poor households.*

6. POLICY OBJECTIVES

The objective of Thulamela Indigent Policy will be to ensure the following:

- 6.1 The provision of basic services to indigent household in the jurisdiction of Thulamela Municipality in a sustainable manner, within the financial and administrative capacity of the Thulamela Municipality Council
- 6.2 The financial sustainability of free basic services through the determination of appropriate tariffs that contribute to such sustainability through subsidisation
- 6.3 Establishment of procedure for the identification and management of indigent households including a socio-economic analysis and the indigent exit mechanisms
- 6.4 The provision of procedures and guidelines for the effective of subsidisation of basic charges to such approved indigent household , within budgetary and intergovernmental grant guidelines and the provision of free basic energy to indigent households
- 6.5 To allow the municipality to plan the scale and scope of our Free Basic Services delivery.

7. SCOPE OF POLICY APPLICATION

- 9.1 The Indigent Policy shall be applicable to all consumers in the area of jurisdiction of the Thulamela Municipality.
- 9.2 The Indigent Support Programme must be accessible to all qualifying indigent households

8. POLICY PRINCIPLES

In recognition of the National Framework the municipality undertakes to promote the following principles:

- 8.1 To ensure that the Equitable Share received annually will be utilised for the benefit of the poor only and not to subsidise rates and services charges of those who can afford to pay.
- 8.2 To link this policy with the municipal IDP, LED initiatives and poverty alleviation programmes.
- 8.3 To promote an integrated approach to free basic service delivery; and
- 8.4 To engage participation of the communities structures in the development and implementation of this policy; To provide a climate that will reduce Unemployment through the promotion of economic development and job creation

9. LEGAL FRAMEWORKS, POLICY AND GUIDELINES

9.1 Legal Frameworks

This Policy is designed and implemented within the framework of the following Legislation:-

- The Constitution of the Republic of South Africa, Act 108 of 1996;
- The Local Government Municipal Systems Act, Act 32 of 2000
- The Municipal Finance Management Act, Act 56 of 2003
- White Paper on Local Government
- The Property Rates Act, Act 6 of 2004

11.2 POLICY ANDGUIDELINES

- Framework of Municipal Indigent Policies: Towards a basket of services for the poor dated May 2007
- Thulamela Municipal Credit and Debt collection Policy
- Thulamela Municipal Tariff Policy
- Thulamela Integrated development plan

12. ECONOMIC PROFILE

- According to Statistics South Africa of the year 2010
 - 68% of Thulamela Municipality's population are people without income.
- Majority households are unable to pay for municipal services.

13. TARGETING APPROACHOF INDIGENT HOUSEHOLDS

For a household to qualify as an indigent, a household should comply with the following requirements:-

- The applicant must be a permanent residents of ThulamelaMunicipality;
- The applicant must be a South African Citizen;
- The applicant must not be the registered owner of more than one property;
- The property must only be used for residential purposes;
- All households that are child headed, including those who are beloweighteen (18) of age can apply for the indigent support;
- The onus for applying for indigent subsidy rest with the consumer who cannot afford to pay the full municipal tariff for services received;

14.APPLICATION AND REGISTRATION AS INDIGENT

Attached, as **Annexure A**, is an Application form for Indigent Household subsidy, which should be completed by all consumers who qualify in terms of this policy and the affidavit form.

- Households that seek to be classified as indigent should complete an application form, and affidavit form to confirm that applicant's income is less than the threshold determined by Council. The form should be returned ***between July and May of each municipal financial year.***
- It is the responsibility of the ward councillor to coordinate the completion of indigent forms in their specific area of jurisdiction.
- The relevant ward Councillor should be involved during the evaluation process and should verify the application together with the relevant community members.
- The Indigent Subsidy Division within the municipality will be responsible to compile and administer the database for households registered in terms of this policy.
- Only one application per ***household*** in respect of one property shall qualify for consideration.
- Council reserves the right to send, from time to time, official or its agent to the premises/households registered as indigent for the purpose of conduction an on-site evaluation of the details supplied.
- ***The validity of indigent subsidy status is for a period of one (1) financial year.*** All those indigent who do not apply for re-registration after expiry of the above period will be removed from the indigent register and will be considered as normal consumers from the month in which they were removed from the register.

15. QUALIFYING CRITERIA

15.1. Grants in aid may, within the financial ability of the Municipality, be allocated to owners or tenants of premises who has consumer accounts with the municipality in respect of charges payable to the Municipality for such services.

15.2. The amount that is used as threshold for determining the indigent status for a household income must be less than R2 500, 00 per month. Household dependent on Pensions or Social Grants also qualify as indigent.

15.3. The following factors must be considered in determining whether a household qualifies as indigent:

- A household that receive ONLY social grant as their income.

- These grants may be allocated if a person or any other occupier of the property concerned can submit proof or declare under oath that all occupants over 18 years of age had no income or a verified total gross monthly income less than the amount decided by Council for the preceding three consecutive months .
- Only one application per **household** in respect of one property shall qualify for consideration. The subsidy will apply to the owner or tenant of the property concerned
- The poverty threshold - The poverty threshold shall be based on the total income of the household applying for consideration as indigent excluding social grants

16. INDIGENT TARIFF AND SUBSIDY AMOUNT

For this purpose Council should, at the latest as part of the budgetary process, determine the poverty threshold that will be applicable for that particular financial year.

An amount of R840 will be allocated as indigent subsidy on the account that qualifies for indigent subsidy allocation.

No amount shall be paid directly to any individual. The indigent subsidy shall be transferred as credit against the approved indigent consumer's municipal account.

The amount payable by the indigent household will be as follows:

Amount Billed : XXXX

Less : Indigent subsidy R840

Amount payable : XXX

Should the calculation of the amount payable as per the above formula results in a negative figures, the amount of the indigent subsidy will be limited to the amount owed at year end, which will result to zero balance . No indigent account should be negative at the end of the financial year as a result of indigent subsidy.

If approved as part of the tariff policy, the amount of subsidisation may be increased through cross subsidisation.

Council will determine the indigent subsidy from time to time based on the equitable share received from the government and the poverty threshold.

17. LEVELS OF SERVICES TO BE SUBSIDISED

Where a restriction of consumption applies to a particular service, applicants may not refuse to be restricted in terms of Council's policy. Where restrictions are not possible the account holder will be responsible for the consumption in excess of the approved subsidy.

- **Refuse**

The same service will be rendered as to other households

The amount of the subsidy (if any) will be determined and approved as part of the tariff policy applicable for the financial year.

- **Electricity**

- ❖ Household who qualify in terms of this policy will be provided with 5 Amp circuit breaker. This will be done by ESKOM.
- ❖ Only the operational and maintenance cost will be recovered from consumers.

- **Assessment Rates and other billed services.**

- ❖ Assessment rate rebate of 100% is granted to property owners who are indigents.
- ❖ Other billed services levied on the service account of the qualifying consumer limited to the annual approved subsidy amount.

18. HANDLING OF QUALIFIED HOUSEHOLDS ACCOUNTS

- Upon approval for first registration as an indigent household consumer, the debtor's outstanding balance to date of approval must be written off, and write-off will be limited to the amount owed on the date of registration/approval.
- Any new arrears accumulated by the debtor (i.e. any amounts in excess of the indigent allowance for free basic services) whilst registered as an indigent consumer, will not qualify to be written off and must be dealt with strictly in accordance with the Municipality's Credit Control Policy and Debt collection Policy.
- The outstanding debt for the deceased whose family is indigent should be written-off, after confirmation from the municipal legal service section of their

status based on the value of their estate, and the following attachment will be needed :-

- Civic letter confirming the indigent status
- Affidavit from the commissioner of oath confirming the non - employment of appointed person
- Certificate of appointment from High Court
- Marriage certificate where deceased was married to the applicant.
- Death Certificate
- Identity document of the deceased
- Identity document of the appointed person.
- The latest municipal account of the household

19. PENALTIES AND DISQUALIFICATION FOR FALSE INFORMATION

Where a consumer no longer qualifies as indigent normal tariffs will apply to him/her from the year in which his/her name was removed from the indigent register.

Applicant will be required to sign and submit a sworn affidavit, to the effect that all information supplied is true and that all income, from formal and informal sources, is declared.

Where any consumer supplied false information he/she will be disqualified from further participation in the subsidy scheme. He/she will be also be liable for the immediate repayment of all subsidies received.

The onus rests on the indigent support recipients to immediately notify councillors of any changes in their indigent status

20. MONITORING AND EVALUATION

The Thulamela Municipality reserves the right to send Officials in the Indigent Office to the household or site of the applicant(s) at any reasonable time, with the aim of carrying out a local verification of the accuracy of the information provided by the applicant(s).

The Chief Financial Officer will report quarterly to the Municipal Manager in Municipality 's SDBIP to enable the Municipal Manager to report to Council, and Quarterly reports to Department of Local Government and such report shall reflect:-

- Number of Indigent households application received or registered in the indigent register;
- Number of Indigent households application who received property rates;
- Number of indigent households who received refuse removal;

- Number of Indigent households that have received the first time write-offs;
- Number of indigent households who receive write-offs by the cause of death of family that cannot afford to pay;
- Amount of subsidy allocated per benefit category

21. EXIT MECHANISMS

Thulamela Municipality will promote exit mechanism programme from indigence by: -

- Giving bursary to indigents families who got bachelors and further their studies in the Institution of Higher Learning through the Office of the Mayor; The bursary will be awarded as per the Thulamela municipality bursary policy
- Identifying Indigents for inclusion in public works projects(Extended Public Works Projects);
- Local job creation projects such as cleansing operations, and small infrastructure projects;

22. VERIFICATION OF THE INDIGENTREGISTER

22.1 FINANCIAL DEPARTMENT

The Finance Department will have the following responsibilities:-

- To register every applicant in register.
- Ensure that the applicant has a service account with Council.
- Ensure that the income for the household does not exceed the amount allocated for that particular year.
- To check the completeness of the form before capturing into the system. The Municipality will complete a register of households that qualify as indigent
- The indigent register will be updated annually
- The verification process is undertaken through yearly review for any change of circumstances
- In that financial year the register will be continually updated

22.2 MUNICIPAL COUNCILLORS

Municipal Councillors will have the following responsibilities

- To assist consumers in completing the application forms.
- Verify indigent status and financial related answers that were given by the applicant on the application form.
- The approval of indigent subsidy will be done by the Ward Councillor
- To coordinate the completion of indigent forms in their specific area of jurisdiction.

23. COMMUNICATION

The indigent registration process is communicated in all nodal points of the municipality through Integrated Development Planning consultation process.

Councillors through community outreach programs will educate the community about the indigent registration process and the importance thereof.

Mayoral Imbizo programs will also communicate the indigent registration processes.

24. CREDIT CONTROL ISSUES

24.1 OBLIGATIONS TO PAY

- The subsidy received, in the majority of cases, does not cover the account. In such event the consumer is still responsible for the balance between the full account and the subsidy received.
- Where applicable, credit control must still be applied, in accordance with the approved credit control policy, for these outstanding amounts.

24.2 CREDIT CONTROL POLICY TO BE APPLIED FOR INDIGENT HOUSEHOLDS

The credit control policy aims to achieve the following:-

- To distinguish between those who can and cannot pay for services
- To get those that cannot pay to register with Municipality so that they could be given subsidies

- To enable the Municipality to determine and identify defaulters to ensure appropriate credit control procedures
- To establish an indigent directory of all persons who complies with the policy

25. ADDITIONAL INFORMATION

The Thulamela Municipality will ensure that all officials and Councillors are appropriately capacitated in free basic services in terms of the following key areas:-

- Database management
- Revenue management
- Policy and by-laws implementation
- The Indigent Induction Workshop to newly appointed Councillor;
- The Indigent Training to all Councillors once per annum;
- The Indigent campaign in all Mayoral Imbizo's;
- The Indigent campaign in all Integrated Development Planning in all Nodal points;
- The Indigent presentations to all territorials' councils in our Municipality.

26. CONTACT PERSON IN TERMS OF THE POLICY

For more information you can contact: -

- Hadzhi N.L : 060 972 0413
- Office help line : 015 962 7543
- E-mail address : hadzhini@thulamela.gov.za

27. CONCLUSION

In conclusion the granting of an indigent subsidy shall be the sole prerogative of council of Thulamela Municipality, whose decision shall be final. The Municipal Council must give priority to the basic needs of the community, promote the social and economic development of the community and ensure that all residents and communities in the municipality have access to at least the minimum level of basic municipal services

The municipal support through Councillors, officials in the Indigent Office, Ward Committee and Community Development Workers, Campaigns on indigents, and community participation is important in implementing the Indigent Subsidy Policy.

28. APPROVAL BY COUNCIL

Council Resolution No _____ Dated _____, approves the Indigent policy for year 2016/17.



THULAMELA MUNICIPALITY

MUNICIPAL SERVICES INDIGENT FORM

YEAR 2016/2017(July 2016 – June 2017)

SECTION A: PARTICULARS OF ACCOUNT HOLDER

Name of Place																			
Stand Number																			
Ward No.																			

Thulamela Account Number																			
Surname and Initials (Owner)																			
Identity Number (Owner)																			
Identity Number (Spouse)																			
Cell phone number																			
Telephone (work)																			
Postal Address																			

Age of Applicant	
Age of Spouse(Years)	
Number of inhabitants	

SECTION B: INCOME OF HOUSEHOLDS

	GROSS MONTHLY
Income of Owner	R
Income of Spouse	R
Combined Income of others	R

Do you let part or your dwelling/stand Yes/NO	R
If yes how much is rental	R
TOTAL INCOME FOR HOUSEHOLD	R

SECTION C: DECLARATION OF APPLICANT

I, the undersigned who resides at the address indicated above hereby apply for the Household Indigent subsidy determined in relation with the Council Policy, and solemnly declare that;

- a) All particulars furnished in this form, including the total gross income of myself and all occupants of the premises are to the best of my knowledge and belief, true and correct;
- b) If the particulars furnished in the form should change for any reason, I will immediately notify the Council
- c) I am aware that the information supplied in this form by me will be made available to the Credit Bureau.
- d) I or any other occupant do not own any other property in the Republic of South Africa apart from the property indicated on the account for which this application was made.
- e) I agree that the Council officials may conduct an on-site audit to verify the information supplied in this declaration.
- f) I am aware that any false declaration on this form, is punishable by law and will result in disqualification of the subsidy;
- g) I am aware that I have obligation to pay if the subsidy received, does not cover the full account. In such event I will be responsible for the balance between the full account and the subsidy received.
- h) I am aware that credit control will be applied, in accordance with the approved credit control policy, for the outstanding amounts referred to in (g).

FULL NAME OF APPLICANT

DATE

SECTION D: DECLARATION BY WARD COUNCILLOR & MEMBER OF CIVIC

I, the undersigned, who on behalf of the Thulamela Municipality, Conducted an onsite audit at the address to verify the information supplied on Application for the Indigent Subsidy, hereby solemnly declare that:

- a) All particulars furnished in this form were supplied by the household
- b) None of the above particulars were in any way altered by myself unless instructed to do so by the household.
- c) Based on my investigation, it is my belief that to the best of my knowledge the above household _____ qualifies for the subsidy/needs to be further investigated.

Full Name of Member of Civic

Signature

Date

Full Name of Ward Councillor

Signature

Date

FOR OFFICIAL USE ONLY

SECTION E :

Approved by: Full Names

Date

Captured By _____

Date _____

Signature _____ Date _____